

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

A new Abstract believed to be consistent with the currently claimed features is submitted herein, to address the objection thereto.

Claims 2, 5, and 6 are pending in this application. Withdrawn claims 1, 3, and 7-48 are canceled by the present response without prejudice. Claims 5 and 6 are allowed. Claim 2 was rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent 6,604,461 to De Bock et al. (herein “De Bock”).

Addressing now the rejection to claim 2 under 35 U.S.C. § 102(e) as anticipated by De Bock, that rejection is traversed by the present response.

Initially, applicants note claim 2 is amended by the present response to clarify that the transfer fixing member is separated by a space from the intermediate transfer member by a thickness of the toner image “such that the intermediate transfer member and transfer fixing member do not contact each other in an area without toner”. Such subject matter is believed to be fully supported by the original specification for example in Figure 2. As shown for example in Figure 2 in the present specification, the intermediate transfer belt 2 is spaced apart from the transfer fixing roller 13 by a space of a thickness g of the toner image, and thereby the intermediate transfer belt 2 and the transfer fixing roller 13 do not contact each other in an area without toner. Such subject matter is also supported by the original specification for example at page 9, lines 15-21. Such a feature is believed to clearly distinguish over De Bock.

De Bock discloses for example in Figures 1 and 2 a primary transfer belt 12 in contact with an intermediate transfer belt 50 (see also De Bock at column 3, lines 26-28). In such ways, De Bock does not disclose that a transfer fixing member is separated by a space from the intermediate transfer member by a thickness of the toner image such that the intermediate

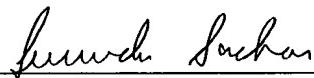
transfer member and the transfer fixing member do not contact each other in an area without toner.

With respect to such a feature the outstanding Office Action previously recognized in paragraph 10 that such a feature was not reflected in the claims. With such a feature now clarified in the claims it is respectfully submitted that independent claim 2 clearly distinguishes over De Bock.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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